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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MIGUEL ZUNIGA ARTEAGA,
ARMANDO MARTINEZ, and
RENE ZEPEDA FELIX,

Defendants.

CASE NO. 1:20-CR-00213 DAD-BAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

CURRENT DATE: October 25, 2023
TIME: 1:00 p.m.
COURT: Hon. Barbara A. McAuliffe

STIPULATION

1. By previous order, this matter was set for status on October 25, 2023.
2. By this stipulation, defendants now move to continue the status conference until January 10, 2024, and to exclude time between October 25, 2023, and January 10, 2024, under Local Codes T2 and T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes over 15,000 pages of Bates stamped discovery and several months of wiretap recordings. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.
 - b) Plea agreements have been provided by the government and the parties are in

1 discussions regarding potential resolutions in this matter.

2 c) Counsel for defendants desire additional time to consult with their clients, to
3 review the current charges, to conduct investigation and research related to the charges, to review
4 and copy discovery for this matter, to discuss potential resolutions with their clients, to prepare
5 pretrial motions, and to otherwise prepare for trial.

6 d) Counsel for defendants believe that failure to grant the above-requested
7 continuance would deny them the reasonable time necessary for effective preparation, taking into
8 account the exercise of due diligence.

9 e) The government does not object to the continuance.

10 f) Based on the above-stated findings, the ends of justice served by continuing the
11 case as requested outweigh the interest of the public and the defendant in a trial within the
12 original date prescribed by the Speedy Trial Act.

13 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
14 et seq., within which trial must commence, the time period of October 25, 2023 to January 10,
15 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
16 T4] and 18 U.S.C. § 3161(h)(7)(A), B(ii) [Local Code T2], because it results from a continuance
17 granted by the Court at defendant's request on the basis of the Court's finding that the ends of
18 justice served by taking such action outweigh the best interest of the public and the defendant in
19 a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: October 20, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ STEPHANIE M. STOKMAN
STEPHANIE M. STOKMAN
Assistant United States Attorney

Dated: October 20, 2023

/s/ NICHOLAS REYES
NICHOLAS REYES
Counsel for Defendant
MIGUEL ZUNIGA ARTEAGA

Dated: October 20, 2023

/s/ NICHOLAS REYES
NICHOLAS REYES
Counsel for Defendant
ARMANDO MARTINEZ

Dated: October 20, 2023

/s/ DAVID TORRES
DAVID TORRES
Counsel for Defendant
RENE ZEPEDA FELIZ

ORDER

The Stipulation for a continuance is DENIED. By stipulation filed on September 5, 2023, the parties vacated the recent trial date. (Doc. 90.) Accordingly, the October 25, 2023 at 1:00 p.m. status conference will remain on calendar for the parties to discuss with the Court the status of the case and a realistic date for trial. The parties and defendants shall appear in person for the status conference.

IT IS SO ORDERED.

Dated: October 23, 2023

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE